# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS

#### **Austin Division**

UNITED STATES OF AMERICA	<ul> <li>) W.D.T.X. Criminal No. 1:11-cr-708-LY</li> <li>) (Transferred Pursuant to F.R.C.P. 20,</li> <li>) C.D.C.A. Criminal No. CR 11-1170)</li> </ul>	
<b>v.</b>	)	
FREDERIC ALAN GLADLE,	)	
a/k/a Walter Fred Boyd, a/k/a Larry Stauffer,	)	
a/k/a Jake Meneffe	)	
Defendant.	)	

#### **UNOPPOSED MOTION TO CONTINUE SENTENCING**

The United States of America, by and through its attorneys, Denis McInerney, Chief of Fraud Section, Criminal Division, U.S. Department of Justice, and Paul Rosen, Trial Attorney, respectfully move this Honorable Court to continue sentencing in the above captioned matter to allow time for the parties to review the Pre-Sentence Report ("PSR"), the final version of which is expected at the end of this week.

1. On January 6, 2012, the defendant pled guilty to a two-count information charging him with one count of bankruptcy fraud and one count of aggravated identity theft, in violation of 18 U.S.C. §§ 157(3) and 1028A, respectively. Bankruptcy fraud carries a maximum sentence of five years imprisonment, and aggravated identity theft carries a mandatory consecutive two-year sentence. Sentencing was set for March 16, 2012.

- 2. On February 24, 2012, the defendant filed a motion to continue sentencing due to a scheduling conflict, which the Government did not oppose. Sentencing was reset to March 28, 2012.
- 3. As of this writing, neither the Government nor the defense has received a final PSR. The Government had planned to submit its Position on Sentencing yesterday, one week before sentencing. However, based on the objections lodged to the original PSR, the Government expects substantial revisions to the loss figures, restitution analysis, and other important sentencing factors. Thus, the Government's Position on Sentencing would be rendered outdated if a revised PSR is submitted after our filing.
- 4. This is a complicated white collar fraud case, with many victims, a number of whom have written letters attesting to the loss amounts that they have suffered. Given the Government's duty to ensure that the figures in the PSR are correct, the Government respectfully requests more time to review the final PSR (when it is produced) to ensure it accurately reflects the loss and restitution amounts.
- 5. The Government has corresponded with defense counsel Joe Turner, who indicated he has no objection to a motion for a continuance.
- 6. The Government has also spoken to Ms. Jones, your honor's Courtroom Deputy, who indicated that the next available sentencing date is May 3, 2012 at 10:00 a.m.

7. Accordingly, and for the foregoing reasons, the Government respectfully requests that the sentencing date in this matter be continued to May 3, 2012.

Respectfully submitted,

ROBERT PITMAN
UNITED STATES ATTORNEY
Western District of Texas

DENIS McINERNEY Chief Fraud Section, Criminal Division U.S. Department of Justice

By: \_\_\_\_\_/s/\_\_\_ Paul M. Rosen Trial Attorney Fraud Section, Criminal Division U.S. Department of Justice 1400 New York Avenue Washington, D.C. 20530 Phone: (202) 353-7696 Fax: (202) 514-0152

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# **Austin Division**

UNITI	ED STATES OF AMERICA v.	) W.D.T.X. Criminal No. 1:11-cr-708-LY ) (Transferred Pursuant to F.R.C.P. 20, C.D.C.A. Criminal No. CR 11-1170)
FRED	ERIC ALAN GLADLE, a/k/a Walter Fred Boyd, a/k/a Larry Stauffer, a/k/a Jake Meneffe	) ) ) ) )
	Defendant.	) )
		<u>ORDER</u>
	Upon the motion of the United Sta	ites for an order continuing sentencing in this matter,
and up	on the Court's finding of good caus	se, it is hereby,
	ORDERED that the sentencing da	te in this matter is continued to May 3, 2012 at 10:00
a.m.		
		The Honorable Lee Yeakel United States District Judge
Date:	<del></del>	
	Austin, Texas	

#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 22nd day of March, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF, which will then send a notification of such filing (NEF) to the following:

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By: \_\_\_\_\_s/\_\_\_\_

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